

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**HECTOR LEYVA-MARTINEZ
VERSUS
BURL CAIN, WARDEN**

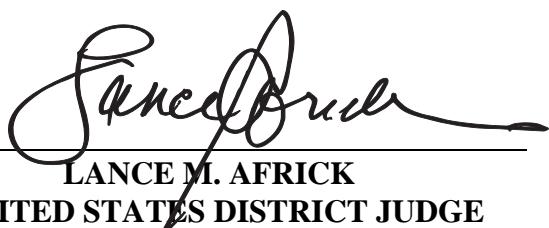
**CIVIL ACTION
NO. 12-2035
SECTION "T" (5)**

O R D E R

The Court, having considered the complaint, the record, the applicable law, the Report and Recommendation of the United States Magistrate Judge, and the failure of any party to file an objection to the Magistrate Judge's Report and Recommendation, hereby approves the Report and Recommendation of the United States Magistrate Judge and adopts it as its opinion in this matter. Therefore,

IT IS ORDERED that Hector Leyva-Martinez's petition for issuance of a Writ of Habeas Corpus pursuant to Title 28 U.S.C. § 2254 is transferred to the United States District Court for the Western District of Louisiana for further proceedings.

New Orleans, Louisiana, this 4th day of September, 2012.



LANCE M. AFRICK
UNITED STATES DISTRICT JUDGE